In the High Court of Judicature at Madras

Dated: 29.01.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

Writ Petition No.3193 of 2007
M.P.Nos.1 & 2 of 2007

R.Srinivasan .. Petitioner

Vs..

1.S.Vadivel

2.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.

3.The Member-Secretary,
Chennai Metropolitan Development
Authority,Egmore,
Chennai-600 008.

4.The Assistant Engineer,
Division No.95,
Corporation of Chennai,
6th Street, CIT Colony,
Mylapore, Chennai-600 004. .. Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the fourth respondent to consider the representation dated 11.12.2006 filed in the proceedings on the file of the fourth respondent in Z.O.VI.C.No.A8/5581/2006 dated 05.12.2006.

For Petitioner : Mr.Satish Parasaran
For respondents 2 & 4 : Mr.G.T.Subramanian
For 3rd Respondent : Mr.J.Ravindran for CMDA

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ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the fourth respondent to consider his representation dated 07.12.2006

2.On direction, Mr.G.T.Subramanian takes notice for respondents 2 and 4 and Mr.J.Ravindran for the third respondent.

3. Considering the limited relief prayed for we dispose of the writ petition at the admission stage itself, even without hearing the first respondent.

4. It is brought to our notice that pursuant to the notice dated 05.12.2006 of the fourth respondent, the petitioner has sent a representation on 07.12.2006 highlighting his stand. According to the learned counsel for the petitioner, though the said representation was received by the fourth respondent on 11.12.2006, so far no order has been passed.

5. In view of the above assertion and the limited relief prayed for, we direct the fourth respondent to consider the representation of the petitioner dated 07.12.2006 and pass appropriate orders in accordance with law, after affording opportunity to both parties viz., writ petitioner as well as the first respondent herein, within a period of four weeks from the date of receipt of a copy of this order. Till such final decision being taken as directed above by the fourth respondent, no demolition be carried out in respect of Door No.5/1, Srikrishnapuram Street, Royapettah, Chennai-600 014 .

6. With the above directions, the writ petition is disposed of. No costs. Consequently, M.P.Nos.1 and 2 of 2007 are closed.

raa

Sd/
Asst.Registrar

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Sub Asst.Registrar

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To

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai-600 003.

2.The Member-Secretary,
Chennai Metropolitan Development
Authority,Egmore, Chennai-600 008.

3.The Assistant Engineer, Division No.95,
Corporation of Chennai,6th Street, CIT Colony,
Mylapore, Chennai-600 004.

+ 1 cc to Mr. Sathish Parasaran, Advocate SR No. 4999

W.P No.3193 of 2007

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